

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------|---|---------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | Criminal No. 08-218 |
| |) | |
| PERRY E. LANDIS |) | |

GOVERNMENT'S RESPONSE TO WTAE'S PETITION TO
INTERVENE AND MOTION FOR ACCESS TO JUDICIAL RECORD

AND NOW comes the United States of America by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Margaret E. Picking, Assistant United States Attorney for said district, and makes the following response to WTAE's petition:

1. In its petition of 6/12/08, WTAE requests access, for the purpose of duplication, to audio tapes played in open court during the detention hearing for Perry E. Landis conducted on 6/11/08 before Magistrate Judge Amy R. Hay.

2. The government has no objection to making such tapes available as soon as practicable, and has requested the FBI to prepare copies of the portions of conversations which were played in open court. However, such conversations constitute only a small part of what was recorded during the investigation, and the government does not wish to disclose publicly at this time any conversations which were not played in court.

3. Since neither the prosecutor who is handling this case nor the case agent is at work on 6/13/08, it may not be

possible to identify and duplicate the parts of conversations presented in court until Monday, 6/16/08. If it is practicable, through the efforts of other personnel, to prepare such copies before then, the government will so notify petitioner and make the copies available.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

/s/ Margaret E. Picking
MARGARET E. PICKING
Assistant U.S. Attorney
PA ID No. 28942
U.S. Attorney's Office
U.S. Post Office & Courthouse
700 Grant Street, Suite 4000
Pittsburgh, PA 15219
Office: 412-644-3500
Fax: 412-644-2645
margaret.picking@usdoj.gov